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6 Attorneys for Plaintiff
PANAMAX INTERNATIONAL SHIPPING
7 COMPANY, LTD.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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11 PANAMAX INTERNATIONAL SHIPPING
COMPANY, LTD.,

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13 Plaintiff,

14 v.

15 PETROLEA OIL CORPORATION,

16 Defendant.
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Case No. 16-6815

~~[PROPOSED]~~ EX PARTE ORDER
DIRECTING PROCESS OF MARITIME
ATTACHMENT AND GARNISHMENT
PURSUANT TO RULE B OF THE
SUPPLEMENTAL RULES FOR
ADMIRALTY OR MARITIME CLAIMS
AND ASSET FORFEITURE ACTIONS

[F.R.C.P. SUPPLEMENTAL
ADMIRALTY RULE B]

22 Upon reviewing the Verified Complaint of the Plaintiff herein, verified on the 25th day of
23 November, 2016, and the affidavit of Conte C. Cicala, sworn to on the 28th day of November
24 2016, that to the best of his information and belief the Defendant Petrolea Oil Corporation, *in*
25 *personam*, cannot be found within this District for the purpose of an attachment under Rule B(1)
26 of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the
27 Federal Rules of Civil Procedure, and the Court having found that the conditions required by
28 Supplemental Rule B(1) appear to exist,

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1 **NOW**, upon motion of Clyde & Co US LLP, attorneys for the Plaintiff, it is hereby
 2 **ORDERED** that the Clerk of this Court is directed forthwith to issue Process of Maritime
 3 Attachment and Garnishment for seizure of all tangible and intangible property belonging to,
 4 claimed by, or being held for the Defendant, Petrolea Oil Corporation, by Wells Fargo Bank NA,
 5 and/or any other garnishee within this District on whom a copy of the Process of Maritime
 6 Attachment and Garnishment may be served, including, but not limited to, credits or funds,
 7 payable to, or otherwise for the benefit of the said Defendant, in an amount up to and including the
 8 sum of \$3,555,950.00 pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime
 9 Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure; and it is further

10 **ORDERED** that any person claiming an interest in the property attached or garnished
 11 pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at
 12 which the Plaintiff shall be required to show why the attachment and garnishment should not be
 13 vacated or other relief granted; and it is further

14 **ORDERED** that supplemental process enforcing the Court's Order may be issued by the
 15 Clerk upon application without further Order of the Court; and it is further

16 **ORDERED** that following initial service by the United States Marshal or other designated
 17 person upon a garnishee, supplemental service of the Process of Maritime Attachment and
 18 Garnishment, as well as this Order, may thereafter be made by way of facsimile transmission or
 19 other verifiable electronic means, including e-mail, to each garnishee so personally served,
 20 provided the garnishee consents, and such subsequent service by facsimile or e-mail, if transmitted
 21 from within the District, shall be deemed to have been made within the District; and it is further

22 **ORDERED** that service on any garnishee as described above is deemed effective
 23 continuous service throughout the day from the time of such service through the opening of the
 24 garnishee's business the next business day; and it is further

25 **ORDERED** that pursuant to F.R.C.P. 5(b)(2)(F) each garnishee may consent to accept
 26 service by any other means; and it is further


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1 **ORDERED** that a copy of this Order be attached to and served with said Process of
2 Maritime Attachment and Garnishment.

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4 IT IS SO ORDERED.

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6 Dated: November 29, 2016.


United States District Court Judge

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